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Thereby certify that this is being deposited with the United States Postal via first class mail on the date indicated below and is addressed to:

Commissioner for Patents, Alexandria, VA 22313

On

By_____

PATENT Attorney Docket No.: CB-16

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JEAN WOLOSZKO et al.

Application No.: 10/774,222

Filed: February 5, 2004

For: ELECTROSURGICAL APPARATUS AND

METHOD HAVING TEMPERATURE

INDICATOR

Commissioner for Patents Alexandria, VA 22313

Sir:

Examiner: unassigned

Art Unit: 3739

PRELIMINARY AMENDMENT

Before substantive examination, please amend the subject application as follows.